

REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF
NEW HARTFORD, HELD AT THE MUNICIPAL BUILDING,
8635 CLINTON STREET, NEW HARTFORD, NEW YORK, ON
WEDNESDAY, JANUARY 22, 2020, AT 6:00 P.M.

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

TOWN BOARD MEMBERS PRESENT:

Councilman James J. Messa
Councilman Richard M. Lenart
Councilman David M. Reynolds
Councilman Richard B. Woodland, Jr.
Supervisor Paul A. Miscione

OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:

Director of Finance Daniel T. Dreimiller
Director of Personnel Barbara Schwenzfeier
Deputy Town Supervisor Anthony J. Trevisani
Police Chief Michael S. Inserra
Town Attorney Herbert Cully
Gail Wolanin Young
Deputy Clerk II Allison Adams

Thereafter a quorum was declared present for the transaction of business.

Potential Sale of Town-owned property

Councilman Lenart presented the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 34 OF 2020)

WHEREAS, the Town of New Hartford had been approached by the Zoeckler's in 2018, who are interested in purchasing a small piece of land near their property on Mallard Brook Lane, formerly known as Jecen Road; and

WHEREAS, the New Hartford Town Board, on October 5, 2018, adopted a Resolution "to authorize the Town Attorney to go forward with the sale of a small strip of land in front of the Zoeckler's residence, including obtaining an appraisal of the subject property, all of which will be subject to the Zoeckler's paying all associated legal fees and permissive referendum if the Town Board actually approves it."

FURTHER RESOLVED, that the New Hartford Town Board does hereby affirm their Resolution No. 40 of 2018, that an appraisal of the land be obtained, with note that the Highway/Sewer Superintendent was concerned with the land as it is near a Town sanitary sewer easement.

Roll Call:	Councilman Messa	-	Aye
	Councilman Lenart	-	Aye
	Councilman Reynolds	-	Aye

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Councilman Woodland - Aye
Supervisor Miscione - Aye

Unanimously carried.

Supervisor Miscione brought forth several matters:

Municipal Building, construction

Construction on the Municipal Building is complete; therefore, Councilman Woodland presented the following Resolution for consideration; seconded by Councilman Reynolds:

(RESOLUTION NO. 35 OF 2020)

RESOLVED, that the Town Board does hereby authorize the Town Supervisor to release the sum of \$45,662.54 to Putrelo Building Enterprises, which represents the final payment/retainage owed on the Municipal Building, carpentry section.

Roll Call: Councilman Messa - Aye
Councilman Lenart - Aye
Councilman Reynolds - Aye
Councilman Woodland - Aye
Supervisor Miscione - Aye.

Unanimously carried.

REPORTS OF TOWN OFFICIALS BY STANDING COMMITTEE

Town Clerk Committee

Fireworks Display Permit

Upon presentation by Town Clerk Gail Wolanin Young, the following Resolution was introduced for adoption by Councilman Woodland and seconded by Councilman Reynolds:

(RESOLUTION NO. 36 OF 2020)

RESOLVED that the Town Board of the Town of New Hartford does hereby authorize and direct the Town Clerk, who has received an Application for a Fireworks Permit and the appropriate Certificate of Insurance naming the Town as an additional insured, to issue a Fireworks Display Permit to Majestic Fireworks, Inc. for the display of fireworks upon the property of Preswick Glen, NYS Route 12B/Clinton Road, on February 14, 2020 at approximately 7:00 P.M, in accordance with the State Penal Law and regulations set forth in said Permit

Roll Call: Councilman Messa - Aye
Councilman Lenart - Aye
Councilman Reynolds - Aye
Councilman Woodland - Aye
Supervisor Miscione - Aye.

Unanimously carried.

ATM Installation – Municipal Building

With regard to installation of an ATM for the convenience of customers, subject of a Public Hearing at the December 18, 2020 Town Board meeting, the Town Attorney stated we sent letters out to prospective businesses and noted that two (2) companies responded. His main concern is liability. He has not received a response yet from his letter; the matter was put on hold.

Zoning (Codes) and Planning Committee – Lawn maintenance

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 37 OF 2020)

RESOLVED, that the Town Board does hereby seek Requests for Proposal (RFP) for the lawn maintenance on abandoned properties and that this form of bidding be published in the Observer Dispatch and on the Town’s website. RFP’s shall be received beginning March 1, 2020 and end on March 31, 2020 in the Town Supervisor’s Office.

Roll Call:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	A ye
Councilman Woodland	-	Ave
Supervisor Miscione	-	Aye

Unanimously carried. Town Attorney Cully suggested that the Code Enforcement Officer attempt to notify property owners because any costs incurred --- should the property change hands, --- is the responsibility of the “new” owner and the unpaid costs are sent to the Oneida County Finance Department for inclusion in the annual Town and County tax bills.

Disclaimer – fees for unpaid lawn maintenance; Town & County tax bill(s)

Councilman Woodland then introduced the following Resolution for adoption; seconded by Councilman Reynolds:

(RESOLUTION NO. 38 OF 2020)

RESOLVED, that the New Hartford Town Board does hereby authorize the Town Attorney to draft and post on the Town’s web site a disclaimer about unpaid miscellaneous fees (such as water, sewer, lawn maintenance, etc.) that a property owner should look into prior to a closing on the sale of property.

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	A ye
Councilman Woodland	-	Ave
Supervisor Miscione	-	Aye

Unanimously carried.

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Director of Finance

Audit of Vouchers

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Lenart:

(RESOLUTION NO. 39 OF 2020)

RESOLVED, that the New Hartford Town Board does hereby authorize and direct the payment of the bills listed hereunder.

RECORD OF CLAIMS #1

#'S 2382

BP600 \$ 37,762.00

TOTAL RECORD OF CLAIMS TOTAL #1 \$ 37,762.00

RECORD OF CLAIMS #2

#'S 2470

BP600 \$37,762.00

TOTAL RECORD OF CLAIMS TOTAL #2 \$37,762.00

RECORD OF CLAIMS #3

#'S 2383-2391

A600 \$ 7,084.73

B600 \$ 27.62

BP600 \$ 391.14

SL600 \$10,220.39

TOTAL RECORD OF CLAIMS TOTAL #3 \$17,723.88

RECORD OF CLAIMS #4

#'S 2392-2449; 2451-2453; 2455-2469; 2471; 2473-2554; 2556-2561

VOIDED: #'s 2450; 2454

A600 \$ 62,491.27

B600 \$ 9,502.18

BP600 \$ 67,017.31

DA600 \$ 3,962.31

DB600 \$221,753.27

HEP600 \$ 44,585.49

HR600 \$ 12,538.30

HRR600 \$202,974.40

SS600 \$ 44,285.08

TA600 \$ 17,102.11

TOTAL RECORD OF CLAIMS TOTAL #4 \$686,211.72

TOTAL RECORD OF CLAIMS 1-4 \$779,459.60.

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Roll Call: Councilman Messa - Aye
 Councilman Lenart - Aye
 Councilman Reynolds - Aye
 Councilman Woodland - Aye
 Supervisor Miscione - Aye.

Unanimously carried.

2020 Budget Adjustment(s)

After explanation by the Director of Finance, Councilman Reynolds introduced the following Resolution, seconded by Councilman Woodland:

(RESOLUTION NO. 40 OF 2020)

RESOLVED that the New Hartford Town Board does hereby approve the follow 2020 Budget adjustment:

GENERAL WHOLE-TOWN

Account Description Account Number Expense	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
A3310.4 Traffic Control-light pole	\$48,500	\$51,884		To adjust budgeted amount for repair reimbursed by insurance
	Total Expense Adjustment		\$3,384	

GENERAL WHOLE-TOWN

Account Description Account Number Revenue	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
A26800	\$0	\$3,384		Insurance recoveries. To adjust budgeted amount for repair reimbursed by insurance
	Total Revenue Adjustment		\$3,384	

Councilman Lenart introduced the following Resolution which was seconded by Councilman Reynolds:

(RESOLUTION NO. 41 OF 2020)

POLICE

Account Description/ Account Number Workers' Comp	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
Expense BP9040.8	\$107,940	\$78,154	\$29,786 (\$29,786)	to adjust budgeted amt to actual allocation sales tax

POLICE

Account Description/ Account Number Workers' Comp	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation

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Revenue	\$1,534,792	\$1,505,006	(\$29,786)	to adjust budgeted amount to actual worker's comp invoice
BP1120				

HIGHWAY PART-TOWN

EXPENSE

Account Description	Account Number	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
Worker's Compensation	DB9040.8	\$47,621	\$74,613	\$26,992	To adjust budgeted amount to actual worker's comp invoice
<u>Total Expense Adjustment</u>				<u>\$26,992</u>	

REVENUE

Account Description	Account Number	Current Budget Amount	Proposed Budget Amount	Increase (Decrease)	Explanation
Sales Tax Revenue	DB11200	\$2,952,779	\$2,979,771	\$26,992	Reallocation due to above actual allocation of worker's comp invoice
<u>Total Expense Adjustment</u>				<u>\$26,992</u>	

Roll Call:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

Unanimously carried.

MATTERS SUBMITTED BY COUNCILMEN

Police Sub-station

Councilman Messa suggested utilizing the vacant railroad station (Donovan Memorial) on Elm Street Chadwicks as a Police Sub-station. The Town owns the building and use by the Police Department would help with visibility in that area. Police Chief Inserra had been contacted and thought this would be a good move and clean up the area. Highway Foreman Chris Moran acknowledged that the Highway employees could perform the labor. Upon motion of Councilman Messa and duly seconded by Councilman Woodland, the following Resolution was presented for adoption:

(RESOLUTION NO. 42 OF 2020)

RESOLVED, that the New Hartford Town Board does hereby authorize conversion of the Donovan Memorial station owned by the Town of New Hartford to be used as a Police Department Sub-station on Elm Street Chadwicks, near Brooks Lane the Donovan Memorial Park.

Roll Call:

Councilman Messa	-	Aye
Councilman Lenart	-	Aye
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

Unanimously carried.

Further, Councilman Messa presented the following Resolution for adoption, seconded by Councilman Woodland:

(RESOLUTION NO. 43 OF 2020)

RESOLVED, that the New Hartford Town Board does hereby approve the purchase of signage to identify the use of the building as a Police Sub-station.

Roll Call: Councilman Messa - Aye
 Councilman Lenart - Aye
 Councilman Reynolds - Aye
 Councilman Woodland - Aye
 Supervisor Miscione - Aye.

Unanimously carried.

Lease of Town Property – Edwards Ambulance

With regard to the December 4, 2019, Resolution, adopted subject to a permissive referendum, the Town Clerk had arranged publication of same in The Observer Dispatch, and posted same on the Town Clerk Bulletin Board and Town website. Town Attorney raised a question about leasing tax exempt property, or a portion thereof, and mentioned the Word Of Life church which lost their exemption when they leased part of their building; he will consult with Town Assessor Darlene Abbatecola on this matter. Councilman Messa introduced the following Resolution for adoption; seconded by Councilman Woodland:

(RESOLUTION NO. 44 OF 2020)

RESOLVED, that the Town's December 4, 2019, Resolution to lease a portion of the new Municipal Building at 8635 Clinton Street, New Hartford, had been adopted with no opposing petition having been filed with the Town Clerk; now, therefore, be it

RESOLVED, that the Town Board does hereby agree to enter into a lease on a month-to-month basis and that said written lease be prepared by the Town Attorney.

Roll Call: Councilman Messa - Aye
 Councilman Lenart - Aye
 Councilman Reynolds - Aye
 Councilman Woodland - Aye
 Supervisor Miscione - Aye.

Unanimously carried.

Councilman Woodland – announced that two (2) engineers will be attending the February 5, 2020 Town Board meeting, one to give a presentation about stormwater in the general area of the Conifer group's proposed Woods Trail Apartments in a Residential Planned Development District Overlay, and the 2nd presentation to evaluate the Town/area as a whole. Residents will receive a letter from Councilman Woodland about this up-coming meeting to be held February 5, 2020 and it's expected that the Town

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Board will vote on the Conifer project. Residents will be urged to attend this meeting and to present their questions and concerns prior to the Town Board vote.

PRESENTATIONS/PUBLIC COMMENT

Supervisor Miscione opened up the meeting for anyone wishing to address the Town Board. No one came forth.

ADJOURNMENT

There being no further business to come before the Town Board, Councilman Woodland moved that the meeting be adjourned; seconded by Councilman Lenart. The meeting was adjourned at 6:32 P.M.

Respectfully submitted,

Gail Wolanin Young, Town Clerk

**EDITED BY CHERYL A. JASSAK-HUTHER
INTERIM TOWN CLERK
5/22/2021**